

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO: 5:07-CR-00093-BR
NO. 5:16-CV-184-BR

KENNETH WAYNE MONROE)
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 v.) ORDER
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 UNITED STATES OF AMERICA)
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This matter is before the court on petitioner's 28 U.S.C. § 2255 motion. (DE # 45.)

Because petitioner has previously filed a § 2255 motion, he must seek authorization from the Court of Appeals to file a second or successive § 2255 motion. 28 U.S.C. §§ 2244(b), 2255(h). The motion is DISMISSED WITHOUT PREJUDICE. The court finds that petitioner has not made “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). Pursuant to Rule 11(a) of the Rules Governing Section 2255 Proceedings, a certificate of appealability is DENIED.

This 4 May 2016.



W. Earl Britt
Senior U.S. District Judge